

## **REMARKS**

This is intended to be a complete response to the Official Action mailed December 18, 2006, in which claims 2 and 3 were rejected. Claim 2 has been amended and claim 3 cancelled herein.

### **Rejections under § 112 ¶ 112 ¶ 1 and ¶ 2**

Claims 2 and 3 stand rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claims 2-3 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 has been amended to indicate that the method is for detecting defective binding between leukocytes and activated platelets or endothelial cells wherein the antibody is provided, the binding of the antibody to leukocytes from a patient is measured, and wherein it is determined that the leukocytes will have defective binding to activated platelets or endothelial cells of the patient when the leukocytes are not able to bind to the antibody.

Paragraph 88 of page 42 clearly indicates that leukocytes may not be able to bind to activated platelets or endothelial cells when P-selectin ligand is defective, and antibodies to the ligand can be used to detect when the P-

selectin ligand is defective. It is stated that leukocytes can be collected using standard methods. Methods such as ELISA (which can use enzyme-linked antibodies) can then be used to assess and measure the binding of the leukocytes to the antibody, as would be clear to a person of ordinary skill in the art.

As indicated, the amended claim is supported and described in the specification and is definite.

In view of the above, applicants respectfully request reconsideration and withdrawal of the rejections under 35 U.S.C. § 112 ¶ 1 and ¶ 2.

### **CONCLUSION**

In view of the above, Applicants respectfully suggest the claims are now in a condition for allowance and request issuance of a Notice of Allowance thereof.

Respectfully submitted,



Christopher W. Corbett, Ph.D.  
Reg. No. 36,109  
DUNLAP CODDING & ROGERS, P.C.  
P.O. Box 16370  
Oklahoma City, OK 73113  
Telephone: 405/607-8600  
Facsimile: 405/607-8686  
Agent for Applicants